

REMARKS

As an opening general remark, the examiner will note that claims 1 and 6 have been amended to specify that the vibrations and shock, etc are dampened in the longitudinal direction as a result of the wire rings (6, 8) being arranged in the same plane as the face of plate 4. This arrangement permits a simultaneous compression and expansion of the respective two rings in the longitudinal direction that provides different dampening characteristics compared to the cited references, which in general disclose rings oriented or biased at acute angles in relation to the forces to be dampened. The independent claims have been further amended to provide that the joining element (7) is arranged in and free to move in the longitudinal direction in slot (9) which is arranged in plate (4).

Claim rejections – 35 USC §102 - GILBERT

Compared to the currently amended claim 1 and 6, Gilbert fails to disclose that the rings are arranged in a plane parallel to Gilbert's plate (16).

Furthermore, the applicant respectfully disagrees that Gilbert discloses a joining element that is movable in a slot *arranged in plate 16*. Claims 1 and 6, both previously and as now even more clearly as amended, require that the joining element travel in the longitudinal direction within a slot that is integrated in the fixed plate. Gilbert's movable joining element (18) is clearly not movable within a slot arranged in plate (16).

Claim rejections – 35 USC §102 – Loziuk/Prost

Claims 1 and 6

For the reasons discussed above, neither Loziuk nor Prost disclose wire rings arranged parallel to the face of a fixed plate (4) . In the first instance, Loziuk and Prost disclose rings arranged at acute angles. Likewise, neither Loziuk nor Prost disclose that the joining element is arranged in and moves in a slot in the fixed plate.

In addition, Loziuk does not disclose an oblong plate designed at its upper and lower ends to be attached to reference object (A). Oblong plate 122 identified by the examiner is simply a perpendicularly arranged stiffening plate, and is not designed for attached to the reference object (See fig 6.) Furthermore, the joining element 28 from Loziuk (applicant assumes the examiner is referring to element 28, in as much as element 92 is the marking, see col 6, line 60) clearly is not arranged in, and does not move in a slot in plate 122.

If the oblong plate of Loziuk is assumed to be element 28 and the joining element assumed to be a part of housing 52, (as the examiner seems to suggest in relation to claim 2), then again Loziuk does not disclose that the any portion of element 52 is arranged in and moves in a slot in element 28.

Claim 2

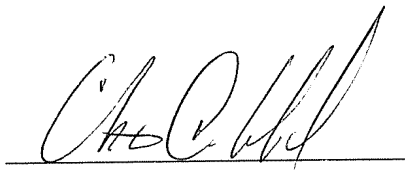
As can be seen in Fig 4, no part of element 52 connects the wire rings. The examiner's assertion, therefore, that "the joining element can be interpreted as part of housing 52" is not consistent with claim 1's requirement that the joining element is *between* upper and lower attachments (5, 10). Fig 4 shows that no part of element 52 is between the upper and lower attachments. In addition to this missing limitation from the preceding independent claim, Claim 2 recites the specific limitation of an enveloping sleeve to which the joining element (asserted to be some unspecified portion of element 52) is attached. Here it is difficult to reconcile how element 52 can be both the joining element and at the same time the outer sleeve to which the joining element is attached, given that the claim identifies these as two distinctly separate elements. In any event, no part of element 52 is attached to itself through a slot in "oblong plate" 28 as required by the limitation of amended claim 1.

Claim rejections – 35 USC §103

The amended claims now specify that the forces effecting device B are dampened in the longitudinal direction. Given the different areas of application, it is asserted that it would not have been obvious to one skilled in the art to adapt the devices from Gilbert, Loziuk or Prost for use with a stretcher. In particular, the devices from Gilbert and Prost have exposed wire rings that would be hazardous in such an application, and the device from Loziuk is arranged in a cylindrical housing 52 that is unsuited to this type of use.

CONCLUSION

For the reasons cited, favourable reconsideration is solicited,

A handwritten signature in black ink, appearing to read 'C. D. Abel', is written over a horizontal line.

Christian D. Abel